

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMENDED CIVIL MINUTE ORDER

DATE: April 28, 2023

TIME IN COURT: 44 minutes

JUDGE: JEFFREY S. WHITE

COURT REPORTER: Lee-Anne Shortridge

COURTROOM DEPUTY: Ki'i Kealario-Puli

CASE NO.:

22-cv-01587-JSW

TITLE:

Selina Keene, et al. v. City and County of San Francisco

22-cv-03975-JSW

David Gozum v. City and County of San Francisco

22-cv-04319-JSW

Jose Guardado, et al. v. City and County of San Francisco

22-cv-07455-JSW

Denise Angelina Debrunner et al
v. City and County of San Francisco

22-cv-07645-JSW

Joseph Cook v. City and County of San Francisco

COUNSEL FOR PLAINTIFF:

Russell Davis

(Selina Keene)

Arkady Itkin

(David Gozum)

Kevin Snider

(Jose Guardado, et al.)

John Sullivan

(Denise Angelina Debrunner, et al.)

Robert Weisenburger

(Denise Angelina Debrunner, et al.)

Hugo Torbet

(Joseph Cook)

COUNSEL FOR DEFENDANT:

Adam Shapiro

Amy Super

Coby Turner

Dante Taylor

PROCEEDINGS: Case Management Conference

RESULTS: Case Management Conference held. Related cases are called together.

The Motion to Consolidate shall be filed by the Defendants within 10 days of the Case Management Conference or by May 12, 2023. Motion hearing shall be set on an open date on the Court's Calendar pursuant to Civil Local Rule 7 and the Court's Standing Order.

The parties are to follow the guidelines set out in General Order 71. In all cases, initial discovery obligations under General Order 71 shall be due **90 DAYS FROM DATE OF INITIAL CASE MANAGEMENT CONFERENCE.**

The Court HEREBY REFERS all related cases to a randomly-assigned Magistrate Judge for discovery purposes.

The current initial disclosure deadlines are VACATED

- In *Cook* (22-7645): 5/3/2023 initial disclosure deadline is VACATED
- In *Gozum* (22-3975), served discovery is not due yet; deadlines VACATED
 - Any deadlines for outstanding discovery shall be addressed by assigned Magistrate Judge
- In *Shaheed* (22-4319): 5/22/2023 deadline for initial disclosures is VACATED

The Court BIFURCATES liability and damages discovery.

The parties are to preserve evidence and file an ESI proposed order no later than May 30, 2023.

The Court finds it too early to set ADR deadline but encourages parties to consider use of a Special Master or Magistrate Judge for settlement.

The parties shall adhere to the below guidelines:

- Any motion to amend complaint: the parties are encouraged to stipulate to amendments
- Motion to stay state court actions to be filed in state court; the Defendants shall provide notice of state court decision within 5 court days.
- The Court shall set a Further Case Management Conference in these matters in its order resolving the motion to consolidate – to determine deadlines for motions to certify classes and to address those plaintiffs opting out of class actions.
- Motions for summary judgment, regardless of consolidation, will be coordinated among counsel so that there are not redundant legal issues briefed separately in each case.
- The Court presumptively allows ONE motion for summary judgment per party, absent a showing of exceptional cause for additional motions (and will likely allow a separate motion on damages issues, if necessary after completion of damages discovery).
- Cross-motions for summary judgment shall be coordinated and parties shall submit only four briefs for any cross-motion (opening, opposition/cross-motion opening, reply/cross-motion opposition, reply on cross motion).
- The parties shall cooperate to reach workable agreements regarding motions, file consolidated briefs where possible, and avoid redundancy.

- The parties may submit stipulations/proposed orders or administrative requests regarding briefing schedules with an eye toward allowing the Court sufficient time to consider the motions prior to any hearing date.